

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Samsung phone with
IMEI: 354048112102034

Case No.

2020 APR -9 PM 5:23

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST. DIV. COLUMBUS

2:20-mj-261

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Samsung phone with
IMEI: 354048112102034

located in the Southern District of Ohio

there is now concealed (identify the

person or describe the property to be seized):

See Attachment A, which is attached hereto and incorporated herein by reference

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

21 United States Code, 846


Offense Description

Conspiracy to possess with the intent to distribute over 500 grams of a mixture substance containing a detectable amount of Methamphetamine..

The application is based on these facts:

See Attached Affidavit

- ☒ Continued on the attached sheet.
- ☐ Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Special Agent Anthony Martin

Printed name and title

Sworn to before me and signed in my presence.

Date: April 9, 2020

City and state: Columbus, OH

Kimberly A. Johnson
United States Magistrate Judge



I, Anthony D. Martin, (hereafter referred to as affiant) being duly sworn depose and state:

INTRODUCTION

I am a Special Agent of the Drug Enforcement Administration (DEA) assigned to the Detroit Field Division, Columbus District Office. As such, I am an "investigative or law enforcement officer" of the United States within the meaning of Title 18 U.S.C. § 2510(7), that is, an officer of the United States empowered by law to conduct criminal investigations and make arrests for offenses enumerated in Title 18 U.S.C. § 2516. Your affiant has been employed by the DEA since June, 2018. Your affiant is empowered to investigate, to make arrests with or without warrants and to execute search warrants under the authority of Title 21 U.S.C. § 878.

Prior to being employed by the DEA your affiant was employed by the Ohio State Highway Patrol from September, 2012 until June, 2018. During this time, your affiant has accumulated the following training and experience:

- (a) I graduated from the DEA Academy located at the FBI Academy, Quantico, Virginia. I received approximately 16 weeks of specialized narcotics related training. The training included controlled substances identification, narcotics related investigative techniques, interview and interrogation training, preparation of search warrants, tactical application of narcotics enforcement, surveillance and electronic monitoring techniques and money laundering investigations.
- (b) During the course of my law enforcement career I have had experience in debriefing defendants; interviewing participating witnesses, cooperating individuals and other persons who have personal knowledge and experience regarding the amassing, spending, conversion, transportation, distribution, and concealment of records and proceeds of trafficking in controlled substances.
- (c) As a DEA agent an Ohio State Trooper, I have participated in the execution of numerous search warrants at the residences and businesses of narcotics traffickers, safe houses, crack houses, and have participated in numerous arrests for drug related offenses. I have drafted numerous search warrants.
- (d) As a DEA agent, I have participated in investigations targeting individuals and organizations trafficking heroin, cocaine, cocaine base ("crack"), marijuana, methamphetamine and other controlled substances as defined in 21 U.S.C. §801.
- (e) During the course of my law enforcement career, I have completed the following training; Ohio State Highway Patrol Training Academy (February 2013), Commercial Motor Vehicle Criminal Interdiction Training (December 2013), DEA's Basic Narcotic Investigator course (September 2016), Motor Vehicle Criminal Interdiction Association/El Paso Intelligence Center training (August 2016, August 2017), Ohio

Narcotics Association Regional Coordinating Officers training (October 2016, October 2017), Ohio Narcotics Association Regional Coordinating Officers Basic Drug/Undercover Investigations course (April 2017), Basic Clandestine Lab (September 2017)

The information set forth in this affidavit comes from your affiant's personal involvement in this investigation, as well as information provided to your affiant by other law enforcement officers. This affidavit is intended to show only that there is sufficient probable cause for the requested criminal complaint and does not set forth all of my knowledge about this investigation.

PROBABLE CAUSE

1. Because this affidavit is being submitted for the limited purpose of seeking authorization for the execution of a search warrant, your Affiant has not set forth each and every fact learned during the course of this investigation. Your Affiant has set forth only those facts that your Affiant believes are necessary to establish the foundation for an order authorizing the requested search warrants.

2. Since March, 2020 Columbus has been investigating the drug trafficking activities of William HAYES. HAYES has previously been identified as a large-scale distributor of methamphetamine and cocaine in the Columbus, OH area. Your affiant, or other investigators assigned to this case, have interviewed a confidential sources CS, and Donald Hayes, HAYES brother, regarding HAYES. CS1, CS2, and Donald Hayes information has been corroborated by your affiant, or other investigators assigned to this case.

3. On or about March 12, 2020, a known associate of HAYES (hereafter referred to as CS), was arrested on a federal arrest warrant for conspiracy to possess with intent to distribute over 500 grams of methamphetamine. That arrest warrant was followed by a federal search warrant at 63 ½ East Dodridge Street, Columbus, Ohio 43202. The search warrant resulted in the seizure of approximately 1386 gross grams of suspected methamphetamine, 4 empty one pound wrappers with suspected methamphetamine on them, approximately 583 gross grams of suspected cocaine, 1 empty kilogram wrapper with suspected cocaine on it, approximately 372 gross grams of suspected crack cocaine approximately 1206 gross grams of suspected fentanyl and five handguns. Also present in the residence were vacuum sealers, vacuum seal bags, scales and multiple glass pipes with suspected methamphetamine residue on them. Throughout the residence were documents with HAYES name on them. Parked on the property of the residence were 2 vehicle registered to HAYES. One of which was registered to him at "63 East Dodridge Street".

4. After the arrest and search warrant the CS was advised of his/her Miranda warnings and agreed to answer questions. The CS stated that he/she had been living at 63 ½ East Dodridge Street with HAYES, since November of 2019. The CS stated that he/she and HAYES sold the drugs in the house together.

5. On March 30, 2020 a criminal complaints charging HAYES with Conspiracy to Possess with the intent to distribute over 500 grams of a mixture substance containing a detectable amount of methamphetamine in the Southern District of Ohio were signed by Magistrate Judge Kimberly A. Jolson.

6. On April 2, 2020 investigators arrest HAYES as he arrived at his residence in his black 2004 Audi bearing Ohio registration HYQ3375, register to HAYES at 63 East Dodridge Street, Columbus, Ohio 43202. As HAYES stepped out of the Audi, investigators wearing easily identifiable police markings placed him under arrest without incident.

7. Investigators requested Columbus Police Department K9 handler Brian Carter to conduct a free air sniff of the Audi with his K9. Officer Carter did as requested which resulted in his K9 giving a positive indication to the odor of narcotic coming from the vehicle. A probable cause search was conducted on the Audi resulting in the seizure of 153 gross grams of suspected cocaine, 383 gross grams of suspected methamphetamine, 37 gross grams of suspected heroin, and two Samsung phones, IMEI: 354048112102034 and IMEI: 359031080611975.

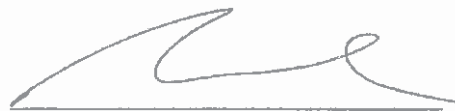
8. After HAYES was arrested investigators advised him of his Miranda Warning. HAYES waived his Miranda Warning and agreed to speak with investigators. In a post arrest interview HAYES granted consented to search 63 East Dodridge Street and 63 1/2 East Dodridge Street. When asked, HAYES stated the drugs in the car were in 63 East Dodridge Street and that he took them out of the residence in the attempt to sell them to individuals that lived at a different residence in order to obtain money. HAYES further stated that the two Samsung phones IMEI: 354048112102034 and IMEI: 359031080611975 in the car were his.

THE ITEMS TO BE SEARCHED ARE DESCRIBED AS:

Samsung phone IMEI: 354048112102034, which was recovered in HAYES' vehicle after his arrest.

9. Based on the facts described above as well as my training and experience and the training and experience of other law enforcement officers involved in this investigation, your Affiant knows that drug traffickers and money launderers commonly use multiple cellular telephones and other mobile digital devices to communicate with other members of the drug trafficking organization. Also, drug traffickers and money launderers commonly maintain names, telephone numbers, addresses, audio text messages and photographs sent between members of the drug trafficking organization which they support in those telephones and digital storage devices. Agents believe that information contained in the above listed items to be searched could possibly assist agents in learning, among other things, the identity and/or location of other yet unidentified members of this drug trafficking organization as well as unidentified sources of supply.

10. Based on the information contained in this affidavit, there is probable cause to believe that the items listed above and detailed in attachment A, will be found in the items to be searched. Your affiant hereby respectfully requested the issuance of federal search warrants for the two cellular telephones seized from HAYES' vehicle. The above listed phones are HAYES, was charged with conspiracy to possess with the intent to distribute over 500 grams of a mixture or substance containing a detectable amount of methamphetamine, in violation of 21 U.S.C. § 846 and possession with intent to distribute over 500 grams of a mixture or substance containing a detectable amount of methamphetamine, in violation of 21 U.S.C. § 841.



Anthony Martin
Special Agent
Drug Enforcement Administration

Subscribed and sworn before me this 9th day of April, 2020.



Kimberly A. Johnson
United States Magistrate Judge

ATTACHMENT A

Contact Lists

Recent Call History including dialed, missed and received calls.

Text messages

Photographs

Phone identification information

Spreadsheets

Documents

Calendar and appointments

Internet usage history and emails

Any other information stored or accessed via cell phone